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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,308	03/10/2004	Seela Raj D Rajaiah	70040140-1	4414

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AGILENT TECHNOLOGIES, INC.
Legal Department, DL 429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599

EXAMINER

DANIELS, ANTHONY J

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 04/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/797,308

Applicant(s)

RAJIAH ET AL.

Examiner

Anthony J. Daniels

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/3/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The amendments, filed 01/03/2005, have been entered and made of record. Claims 1-20 are pending.

Response to Arguments

2. Applicant's arguments, see Amendment (Remarks), p. 5,6; p.7, Lines 1,2, filed 1/03/2005, with respect to the rejection(s) of claim(s) 1-20 under Suzuki (US # 5,504,525) in view of Takeuchi (US 20020054220) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Takeuchi (US 20020054220).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Takeuchi (US 20020054220).

Claims 8-13 will be discussed first.

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As to claim 8, Takeuchi teaches a device that takes an image (Figure 1, [0034], Lines 1-5), comprising: a color filter array that captures an image (Figure 5, [0033]); a color sensor that detects a plurality of color components of incident light (Figure 5, [0033]); a converter that generates an average intensity value for each of the plurality of color components (Figure 1, average processing unit “105”; [0035], Lines 7-9); and, a white balance calculator (Figure 1, white balance control value operating unit “111”) that uses the average intensity values for the plurality of color components to calculate a white balance for the image captured by the color filter array ([0046]).

As to claim 9, Takeuchi teaches a device as in claim 8: wherein each of the plurality of color components is an analog value ([0035]; *{When the image data is picked up, it is inherent at some time the plurality of color components are an analog value.}*); and, wherein each of the average intensity values is a digital value ([0033], [0035], Lines 7-9; *{The average processing unit performs its function after the color components have converted to digital form.}*).

As to claim 10, Takeuchi teaches a device as in claim 8 wherein the device is a digital camera ([0034], Lines 1-5).

As to claim 11, Takeuchi teaches a device as in claim 8 wherein the plurality of color components includes a red component, a blue component, and a green component (Figure 5; [0033]).

As to claim 12, Takeuchi teaches a device as in claim 8: wherein the plurality of color components include a red component, a green component, and a blue component (Figure 5; [0033]); and, wherein the average intensity values include an average red intensity value derived from the red component, an average green intensity value derived from the green component and

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an average blue intensity value derived from the blue component ([0035], Lines 7-9; *{The average red, blue, and green intensity values are derived from the digital red, blue, and green digital intensity values which are derived from the analog red, blue, and green intensity values.}*).

As to claim 13, Takeuchi teaches a device in claim 12: wherein the red component, the green component, and the blue component are analog values ([0035]; *{When the image data is picked up, it is inherent at some time the plurality of color components are an analog value.}*); and, wherein the average red intensity value, the average green intensity value, and the average blue intensity value are digital values ([0033], [0035], Lines 7-9; *{The average processing unit performs its function after the color components have converted to digital form.}*).

As to claims 1-6, claims 1-6 are method claims corresponding to the apparatus claims 8-13, respectively. Therefore, claims 1-6 are analyzed and rejected as previously discussed with respect to claims 8-13, respectively.

As to claim 7, Takeuchi teaches a method as in claim 1 wherein capturing the image and detecting the plurality of color components are performed simultaneously allowing for parallel processing (Figure 1, image pickup data units "101", "113"; [0033], [0048]).

As to claim 14, Takeuchi teaches a device as in claim 8 wherein the color sensor includes, for each color component, a photo sensor with an integrated filter (Figure 5; [0033]).

As to claims 15-20, the limitations in claims 15-20 can be found in claims 8-13, respectively. Therefore, claims 15-20 are analyzed and rejected as previously discussed with respect to claims 8-13, respectively.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Daniels whose telephone number is (571) 272-7362. The examiner can normally be reached on 8:00 A.M. - 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AD
4/15/2005


NGOC-YEN VU
PRIMARY EXAMINER